

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

October 18, 2007

The Marlboro Township Council held its regularly scheduled meeting on October 18, 2007 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Cantor opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 5, 2007; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Clerk called the Roll.

PRESENT: Councilwoman Morelli, Councilman Pernice, Council Vice President Rosenthal, Councilwoman Tragni and Council President Cantor.

Also present were: Andrew Bayer, Esq., Municipal Clerk Alida Manco, and Deputy Clerk Deborah Usalowicz.

Councilman Pernice moved that the minutes of September 6, & 20, 2007, be approved. This motion was seconded by Councilwoman Morelli and the minutes were passed on a roll call vote of 5 - 0 in favor.

The following Res. # 2007-337/Ord. # 2007-22 (Amend Chapter 84 - Uses in LI Zone) was introduced by reference, offered by Councilwoman Morelli and seconded by Council Vice President Rosenthal. Discussion followed, during which Councilman Pernice and Andrew Bayer, Esq. explained that this ordinance was requested by a resident and reviewed by the Township Planner and the Zoning Officer. After discussion, the

resolution/ordinance was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-337

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2007-22

AN ORDINANCE AMENDING SECTION 84-55, "LIGHT INDUSTRIAL ZONE DISTRICT" OF THE CODE OF THE TOWNSHIP OF MARLBORO

be introduced and passed on first reading and that the same be advertised according to law; and

BE IT FURTHER RESOLVED that the same be considered for final passage on December 6, 2007 at 8:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2007-22

AN ORDINANCE AMENDING SECTION 84-55, "LIGHT INDUSTRIAL ZONE DISTRICT" OF THE CODE OF THE TOWNSHIP OF MARLBORO

WHEREAS, §84-55 of the Code of the Township of Marlboro ("Township") sets forth the requirements regarding the LI Light Industrial Zone District in the Township; and

WHEREAS, the Mayor and the Township Council have determined that it is in the best interests of the Township to including landscaping businesses in the LI zone as a permitted use; and

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey that Section 84-55, "LI Light Industrial Zone District " be and hereby is amended to read as follows (additions to said subsection are underlined and deletions are crossed-out):

§ 84-55. LI Light Industrial Zone District.

The following regulations shall apply in the LI Light Industrial Zone District:

A. Permitted uses.

(1) Light manufacturing, proceeding, producing or fabricating operations which meet the performance standards contained in § 84-31.

(2) Administrative offices solely related to the primary industrial function being performed, except as permitted by Subsection A(3) below.

(3) Administrative office buildings limited to executive or administrative or business service offices of industrial or business concerns.

(4) Industrial research laboratories limited to experimental research and testing laboratories, at which products or goods are not produced for sale, provided that no operation shall be conducted or equipment used which would create hazardous, noxious or offensive conditions beyond the boundaries of the property involved.

(5) Warehouse for the storage of material and products.

(6) Railroad rights-of-way and terminal facilities.

(7) Temporary buildings for uses incidental to construction work, provided such buildings are removed upon completion or abandonment of the construction work.

(8) Off-site catering services. [Added 5-9-2002 by Ord. No. 2002-13]

(9) Landscaping businesses including the storage of equipment and materials.

B. Permitted accessory uses.

(1) All customary accessory uses and buildings which are clearly incidental to the principal use and building.

C. Area, yard and building requirements are as specified for this zone in the schedule of requirements in § 84-29D of this chapter.

D. Conditional uses. Uses requiring a conditional use permit are subject to the provisions of Article IV of this chapter.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect on upon passage and publication in accordance with applicable law.

The following Res. # 2007-338 (Authorizing State Contract Purchase - Police Radio Equipment - Quality Communications) was introduced by reference, offered by Councilwoman Morelli, seconded by Councilwoman Tragni and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-338

RESOLUTION AUTHORIZING THE PURCHASE OF
PORTABLE RADIOS AND RELATED EQUIPMENT
FOR THE MARLBORO TOWNSHIP POLICE DEPARTMENT
STATE CONTRACT #A53804

WHEREAS, the Marlboro Township Police Department has recommended that the Township purchase portable radios and related equipment from Motorola C&E c/o Quality Communications, 1985 Swarthmore Avenue, Lakewood, NJ 08701 under State Contract #A53804 for an amount not to exceed \$134,249.40; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for bids, purchase goods under any contract for such goods entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to provide said equipment to the Township of Marlboro; and

WHEREAS, funds are available in Account Numbers X-04-55-962-918 (\$68,582.55), X-04-55-962-911 (\$30,000.00), and X-04-55-962-919 (\$35,666.85) and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said equipment;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase portable radios and related equipment from Motorola C&E c/o Quality Communications, 1985 Swarthmore Avenue, Lakewood, NJ 08701 under State Contract #A53804 for an amount not to exceed \$134,249.40; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Quality Communications, Lakewood, NJ
- b. Township Administrator
- c. Township Police Department
- d. Township Chief Financial Officer
- e. Gluck Walrath, LLP

The following Res. # 2007-339 (Authorizing State Contract Purchase - Police Radio Equipment - Motorola C & E) was introduced by reference, offered by Council Vice President Rosenthal, seconded by Councilwoman Morelli and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-339

RESOLUTION AUTHORIZING THE PURCHASE OF
A 4 POSITION ZETRON MODEL 3200 911 PHONE SYSTEM UNDER
STATE CONTRACT #A51008 AND MOVE MASTER III REPEATER AND
RECEIVERS UNDER STATE CONTRACT #A53766 FOR THE
MARLBORO TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Marlboro Township Police Department has recommended that the Township purchase a 4 position Zetron Model 3200 911 phone system under State Contract #A51008 and Move Master III Repeater and Receivers under State Contract #A53766 from Quality Communications, 1985 Swarthmore Avenue,

Lakewood, NJ 08701 for an amount not to exceed \$306,932.00;
and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for bids, purchase goods under any contract for such goods entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to provide said equipment to the Township of Marlboro; and

WHEREAS, funds are available in Account Numbers X-04-55-962-918 (\$22,830.00) and G-07-41-608-399 (\$284,102.00) and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said equipment;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase a 4 position Zetron Model 3200 911 phone system under State Contract #A51008 and Move Master III Repeater and Receivers under State Contract #A53766 from Quality Communications, 1985 Swarthmore Avenue, Lakewood, NJ 08701 for an amount not to exceed \$306,932.00; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Quality Communications, Lakewood, NJ
- b. Township Administrator
- c. Township Police Department
- d. Township Chief Financial Officer
- e. Gluck Walrath, LLP

The following Res. # 2007-340 (Authorizing State Contract Purchase - Police Radio Equipment - RF Design & Integration) was introduced by reference, offered by Council Vice President Rosenthal, seconded by Councilwoman Tragni and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-340

RESOLUTION AUTHORIZING THE PURCHASE OF
MICROWAVE EQUIPMENT FOR THE
MARLBORO TOWNSHIP POLICE DEPARTMENT
STATE CONTRACT #A53770

WHEREAS, the Marlboro Township Police Department has recommended that the Township purchase microwave equipment from R F Design & Integration, Inc., 4725 Wingate Street, Philadelphia, PA 19136 under State Contract #A53770 not to exceed \$162,333.15; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for bids, purchase goods under any contract for such goods entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to provide said equipment to the Township of Marlboro; and

WHEREAS, funds are available in Capital Account Number X-04-55-962-919 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said equipment;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase microwave equipment from R F Design & Integration, Inc., 4725 Wingate Street, Philadelphia, PA 19136 under State Contract #A53770 not to exceed \$162,333.15; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. R F Design & Integration, Inc., Philadelphia, PA
- b. Township Administrator
- c. Township Police Department
- d. Township Chief Financial Officer
- e. Gluck Walrath, LLP

Per Councilman Pernice's recommendation, Council President Cantor removed Res. #2007-342 (Award of Bid - Steel Dump Bodies) from the consent agenda.

As the consent agenda, the following Resolutions were introduced by reference, offered by Council Vice President Rosenthal, seconded by Councilwoman Tragni and passed on a roll call vote of 5 - 0 in favor: Res. #2007-341 (Extension of Contract - Janitorial Services), Res. #2007-343 (Award of Bid - De-icing Material, Rock Salt), Res. #2007-344 (Award of Bid - De-icing Material, Pre-Mix Rock), Res. #2007-345 (Award of Bid - Repair and Resurface Tennis Courts), Res. #2007-346 (Change Order #1 - Robertsville Road Reconstr.), Res. #2007-347 (Award of Contract - Phone System for Road Dept., Public Works & Sign Shop), Res. #2007-348 (Authorizing Contract - Mon. County - SCAT), Res. #2007-349 (Reject & Rebid - Hammer Mill), Res. #2007-350 (Award of Contract - Conversion Kit Toro Groundmaster - Storr Tractor Co.), Res. #2007-351 (Redemption Tax Sale Cert. B. 184, L. 46, Res. #2007-352 (Refund for Duplicate Payment - B. 173, L. 7 C0214), Res. #2007-353 (Veteran Deduction - B. 176.06, L. 21) and Res. #2007-355 - Chapter 159 - Police Grant "Stop at Red".

RESOLUTION # 2007-341

A RESOLUTION AUTHORIZING THE RENEWAL OF CONTRACT
BETWEEN ALL CLEAN BUILDING SERVICES, INC. AND THE
MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS FOR THE
PROVISION OF JANITORIAL SERVICES

WHEREAS, pursuant to Resolution #2006-387, the Township of Marlboro awarded a contract to All Clean Building Services, Inc. ("All Clean") for the provision of janitorial services for the Township of Marlboro Department of Public Works; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13(e) and the above-referenced contract, the Administration and the Township Attorney desire to renew the contract between All Clean and the Township of Marlboro for the provision of janitorial services for the Township of Marlboro Department of Public Works; and

WHEREAS, All Clean previously identified potential employees to staff the Township's account and each said potential employee satisfactorily passed a background check and their references were checked and All Clean has agreed that only those employees who have satisfactorily passed a background check and had their references checked will provide services for the Township; and

WHEREAS, the Township Council finds that it would be in the best interest of the Township of Marlboro to renew the contract between All Clean and the Township of Marlboro for the provision of the aforesaid services and products.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the contract between the Township of Marlboro Department of Public Works to provide janitorial services should be renewed, and that the Mayor is authorized to renew the contract between the Township of Marlboro and All Clean for the provision of janitorial services for the Township of Marlboro Department of Public Works at the rates set forth in and in accordance with the proposal previously submitted by All Clean, which is on file with the Township; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has executed a Certification of Funds for the contract renewal, which is attached hereto, and that sufficient funds are available for said contract from the Building Department under Account Number T-23-56-850-857 in the amount of \$1,014.16 for 2007 and from the Public Works Department under Account Number 7-01-122-276 in the amount of \$13,054.17 for 2007 and \$67,845.83 in 2008; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. All Clean Building Services, Inc.
- b. Department of Public Works
- c. Township Administrator
- d. Township Chief Financial Officer
- e. Gluck Walrath LLP.

RESOLUTION # 2007-343

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE
PROVISION OF SODIUM CHLORIDE (ROCK SALT) DE-ICING AGENT
FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the provision of sodium chloride (rock salt) de-icing agent for the Township of Marlboro Department of Public Works; and

WHEREAS, the Township received four (4) bids from the following vendors in the following amounts:

1. Atlantic Salt, Inc.
130 Plain Street
Lowell, MA 01851
Price per U.S. Ton: \$ 64.06
Price per 2,600 U.S. Tons: \$166,556.00
2. International Salt Co., LLC
655 Northern Boulevard
Clarks Summit, PA 18411
Price per U.S. Ton: \$ 69.11
Price per 2,600 U.S. Tons: \$179,686.00
3. Eastern Salt Co., Inc.
15 Tyngsboro Road
N. Chelmsford, MA 01863
Price per U.S. Ton: \$ 71.25
Price per 2,600 U.S. Tons: \$185,250.00
4. Yardville Supply Co.
P.O. Box 8427
Trenton, NJ 08650
Price per U.S. Ton: \$ 74.80
Price per 2,600 U.S. Tons: \$194,480.00; and

WHEREAS, the Administration, the Director of Public Works, and the Township Attorney determined that Atlantic Salt, Inc. is the lowest responsive bidder submitting a bid compliant with the specifications promulgated by the Township; and

WHEREAS, the Administration, the Director of Public Works, and the Township Attorney recommend that the contract be awarded to Atlantic Salt, Inc. as the lowest qualified bidder; and

WHEREAS, the Township Council finds that it would be in the best interest of the Township of Marlboro to award said contract to the lowest qualified bidder, Atlantic Salt, Inc. for the provision of sodium chloride (rock salt) de-icing agent for the Township of Marlboro Department of Public Works.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the contract for the provision of sodium chloride (rock salt) de-icing agent for the Township of Marlboro Department of Public Works be and hereby is awarded to Atlantic Salt, Inc. and that the Mayor is authorized to execute a contract, in a form legally acceptable to the Township Attorney, between the Township of Marlboro and Atlantic Salt, Inc. for provision of sodium chloride (rock salt) de-icing agent for the Township of Marlboro Department of Public Works in an amount not to exceed \$38,436.00 for 2007 and \$128,120.00 for 2008, and in accordance with the bid proposal submitted by Atlantic Salt, Inc.; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has executed a Certification of Funds for this contract, which is attached hereto, and that sufficient funds are available for said contract from Account Number 7-01-119-275 for 2007 and from Account Number 8-01-119-275 for 2008; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be provided to each of the following:

- a. Atlantic Salt, Inc.
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Gluck Walrath LLP.

RESOLUTION # 2007-344

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE
PROVISION OF PRE-MIX SODIUM CHLORIDE DE-ICING AGENT FOR
THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the provision of pre-mix sodium

chloride de-icing agent for the Township of Marlboro
Department of Public Works; and

WHEREAS, the Township received one (1) bid from the
following vendor in the following amount:

5. Yardville Supply Company
P.O. Box 8427
Trenton, NJ 08650
Price per U.S. Ton: \$ 81.00
Price per 400 U.S. Tons: \$32,400.00; and

WHEREAS, the Administration, the Director of Public
Works, and the Township Attorney determined that Yardville
Supply Company is the lowest responsive bidder submitting a
bid compliant with the specifications promulgated by the
Township; and

WHEREAS, the Administration, the Director of Public
Works, and the Township Attorney recommend that the contract
be awarded to Yardville Supply Company as the lowest qualified
bidder; and

WHEREAS, the Township Council finds that it would be
in the best interest of the Township of Marlboro to award said
contract to the lowest qualified bidder, Yardville Supply
Company for the provision of pre-mix sodium chloride de-icing
agent for the Township of Marlboro Department of Public Works.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the
Township Council of the Township of Marlboro that the contract
for the provision of pre-mix sodium chloride de-icing agent
for the Township of Marlboro Department of Public Works be and
hereby is awarded to Yardville Supply Company and that the
Mayor is authorized to execute a contract, in a form legally
acceptable to the Township Attorney, between the Township of
Marlboro and Yardville Supply Company for provision of pre-mix
sodium chloride de-icing agent for the Township of Marlboro
Department of Public Works in an amount not to exceed
\$8,100.00 for 2007 and \$24,300.00 for 2008, and in accordance
with the bid proposal submitted by Yardville Supply Company;
and

BE IT FURTHER RESOLVED that the Chief Financial Officer
has executed a Certification of Funds for this contract, which
is attached hereto, and that sufficient funds are available
for said contract from Account Number 7-01-119-275 for 2007
and from Account Number 8-01-119-275 for 2008; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be provided to each of the following:

- a. Yardville Supply Company
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Gluck Walrath LLP.

RESOLUTION # 2007-345

A RESOLUTION AUTHORIZING THE AWARD OF A
CONTRACT FOR THE REPAIR AND RESURFACING OF
TENNIS COURTS AT VARIOUS LOCATIONS FOR THE MARLBORO
TOWNSHIP DEPARTMENT OF RECREATION

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the repair and resurfacing of tennis courts at various locations for the Township of Marlboro Department of Recreation; and

WHEREAS, the Township received one (1) bid from the following vendor in the following amount:

The Racquet Shop, Inc.
27 Route 34, P.O. Box 117
Colts Neck, NJ 07722

Base Bid:	\$ 70,345.00
Alternate A:	\$ 23,850.00
Alternate B:	\$ 16,300.00; and

WHEREAS, the Administration, the Director of Recreation, and the Township Attorney determined that The Racquet Shop, Inc. is the lowest responsive bidder submitting a bid compliant with the specifications promulgated by the Township; and

WHEREAS, the Administration, the Director of Recreation, and the Township Attorney recommend that the contract be awarded to The Racquet Shop, Inc. as the lowest qualified bidder for the award of base bid and alternate A; and

WHEREAS, the Township Council finds that it would be in the best interest of the Township of Marlboro to award said contract for the base bid and alternate A to the lowest qualified bidder, The Racquet Shop, Inc. for the repair and

resurfacing of tennis courts at various locations for the Township of Marlboro Department of Recreation.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the contract for the base bid and alternate A for the repair and resurfacing of tennis courts at various locations for the Township of Marlboro Department of Recreation be and hereby is awarded to The Racquet Shop, Inc. and that the Mayor is authorized to execute a contract for the base bid and alternate A, in a form legally acceptable to the Township Attorney, between the Township of Marlboro and The Racquet Shop, Inc. for the repair and resurfacing of tennis courts at various locations for the Township of Marlboro Department of Recreation in an amount not to exceed \$94,195.00, and in accordance with the bid proposal submitted by The Racquet Shop, Inc.; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has executed a Certification of Funds for this contract, which is attached hereto, and that sufficient funds are available for said contract from Account Number X-04-55-943-920 (\$3,317.00); X-04-55-959-957 (\$52,878.00); X-04-55-962-944 (\$37,500); X-04-55-962-999 (\$500.00); and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be provided to each of the following:

- a. The Racquet Shop, Inc.
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Gluck Walrath LLP.

RESOLUTION # 2007-346

A RESOLUTION AMENDING RESOLUTION #2006-388
AND APPROVING A CHANGE ORDER FOR THE PROVISION
OF VARIOUS PRODUCTS AND SERVICES IN CONNECTION
WITH THE IMPROVEMENTS TO ROBERTSVILLE
ROAD PROJECT IN THE TOWNSHIP OF MARLBORO

WHEREAS, Township of Marlboro Resolution #2006-388 authorized the award of a contract to Lucas Brothers, Inc. for the provision of various products and services in connection with the Improvements to Robertsville Road Project in the Township; and

WHEREAS, while performing the contract awarded to them, Lucas Brothers, Inc. discovered that it is necessary to install and extend a sanitary service past the new right-of-way (ROW) limits at #13 Route 520 and to adjust and reset two (2) service/meter locations encountered within the project limits; and

WHEREAS, Lucas Brothers, Inc. notified the Township Engineer of the need for these additional services and provided a description and price for the supplemental services in the total amount of \$9,570.00 which was accepted by the Township Engineer; and

WHEREAS, in his Memorandum dated October 8, 2007, the Township Engineer found the additional services to be necessary and requested that a Change Order be approved.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that Resolution #2007-346 is amended to include Change Order No. 1 in the amount of \$9,570.00 which is attached hereto and incorporated herein by reference; and

BE IT FURTHER RESOLVED that the contract awarded to Lucas Brothers, Inc. by Resolution #2007-346 should be amended to include Change Order No. 1 in the amount of \$9,750.00, for a total contract amount of \$184,395.00, in accordance with the bid proposal submitted by Lucas Brothers, Inc., which is on file with the Township, and Change Order No. 1 which is attached hereto and incorporated herein by reference; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has executed a Certification of Funds for this contract, which is attached hereto, and that said Certification of Funds is sufficient to complete the original contract and Change Order No. 1. Said Certification of Funds set forth that sufficient funds were, and continue to be, available for said contract from Account Number G-07-41-204-399; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Lucas Brothers, Inc.
- b. Township Administrator

- c. Township Chief Financial Officer
- d. Gluck Walrath LLP.

RESOLUTION # 2007-347

RESOLUTION AUTHORIZING THE PURCHASE OF TELEPHONE
SYSTEMS FOR VARIOUS MARLBORO TOWNSHIP DEPARTMENTS

WHEREAS, the Marlboro Township Engineering Department contacted certain companies to request estimates for the purchase of telephone systems; and

WHEREAS, the Engineering Department received the following estimates:

- 1. Inter-tel, Kenilworth, New Jersey - \$16,992.40
- 2. Terra Telecom LLC, New York, New York - \$22,668.39

WHEREAS, the lowest estimate for the purchase of the aforementioned items is less than \$21,000.00 in the contract year, thereby allowing a contract to be awarded pursuant to N.J.S.A. 40A:11-3 without public advertising for bids; and

WHEREAS, the Administration and the Engineering Department have reviewed the estimates received and recommend that a contract be awarded to Inter-tel for the purchase of the aforementioned items; and

WHEREAS, funds are available in Capital Account Number X-04-55-960-934 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said equipment;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted for the purchase of telephone systems for various Marlboro Township departments from Intertel, 124 Market Street, Kenilworth, New Jersey 07033; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Inter-tel, Kenilworth, NJ
- b. Township Administrator
- c. Township Engineering Department
- d. Township Chief Financial Officer
- e. Gluck Walrath, LLP

RESOLUTION # 2007-348

AUTHORIZING AN AGREEMENT WITH THE COUNTY OF MONMOUTH,
PURSUANT TO N.J.S.A. 40:8A-1 ET SEQ., THE INTERLOCAL
SERVICES ACT, FOR SPECIAL CITIZENS TRANSPORTATION
SYSTEM (SCAT) SERVICES TO ELIGIBLE PERSONS

WHEREAS, The Board of Chosen Freeholders of the County of Monmouth (hereinafter, "the County") has established the Special Citizens Area Transportation System (hereinafter, "SCAT"); and

WHEREAS, the Township of Marlboro has requested that the County provide services to eligible residents and wishes to enter into an agreement with the County for the provision of transportation services to eligible residents of Marlboro Township for the year 2008;

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq., authorizes local units as defined in said Act to enter into joint agreements for the provision of governmental services, including such transportation services; and

WHEREAS, the proposed contract for the provision of said services is on file in the Township Clerk's office in accordance with the provisions of N.J.S.A. 40:8A-4:

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the proposed interlocal services agreement for the provision of the aforementioned services.

BE IT FURTHER RESOLVED that a duly certified copy of this resolution be forwarded to all respective parties.

RESOLUTION # 2007-349

A RESOLUTION REJECTING THE BIDS RECEIVED FOR
THE PROVISION OF THE RENTAL OF ONE (1) HAMMER MILL
GRINDER FOR THE MARLBORO TOWNSHIP DEPARTMENT OF
PUBLIC WORKS AND AUTHORIZING THE REBID OF THE PROJECT

BE IT RESOLVED by the Township Council of the Township of Marlboro that the bids heretofore received for the provision of one (1) Hammer Mill Grinder for the Marlboro Township Department of Public Works are hereby rejected as unresponsive to the bid specifications and the Business Administrator is authorized and directed to return the bid bond or other security to the appropriate bidder; and

BE IT FURTHER RESOLVED that the Business Administrator, be and is hereby authorized and directed to re-advertise for the provision of one (1) Hammer Mill Grinder for the Marlboro Township Department of Public Works as required by law.

RESOLUTION # 2007-350

RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) POLAR TRAC
WINTER CAB AND CONVERSION KIT FOR TORO GROUNDMASTER 7210
AND RELATED EQUIPMENT FROM STORR TRACTOR COMPANY
FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Marlboro Township Department of Public Works contacted certain companies to request estimates for the purchase of one (1) Polar Trac Winter Cab and conversion kit for Toro Groundmaster 7210 and related equipment; and

WHEREAS, the Department of Public Works received the following estimates:

1. Storr Tractor Company, Branchburg, New Jersey - \$19,145.00
2. Philadelphia Turf Company, Doylestown, Pennsylvania - \$23,418.00

WHEREAS, the lowest estimate for the purchase of the aforementioned items is less than \$21,000.00 in the contract year, thereby allowing a contract to be awarded pursuant to N.J.S.A. 40A:11-3 without public advertising for bids; and

WHEREAS, the Administration and the Department of Public Works have reviewed the estimates received and

recommend that a contract be awarded to Storr Tractor Company for the purchase of the aforementioned items; and

WHEREAS, funds are available in Capital Account Number X-04-55-962-929 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said equipment;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted for the purchase of one (1) Polar Trac Winter Cab and conversion kit for Toro Groundmaster 7210 and related equipment from Storr Tractor Company, 3191 Route 22, Branchburg, New Jersey 08876; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Storr Tractor Company, Branchburg, NJ
- b. Township Administrator
- c. Township Department of Public Works
- d. Township Chief Financial Officer
- e. Gluck Walrath, LLP

RESOLUTION # 2007-351

WHEREAS, Tax Sale Certificate #07-31 for Block 184 Lot 46, assessed to Emmanuel & Suzie Coffy, located at 5 Churchill Court, has been redeemed in the amount of \$688.19,

WHEREAS, the holder of the above-mentioned tax sale certificate, CCTS Tax Liens I, LLC, is entitled to the amount of the sale plus interest and costs totaling \$688.19,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$688.19 be refunded to the holder of said certificate as above.

RESOLUTION # 2007-352

WHEREAS, a duplicate payment of 2007 third quarter taxes has been received in the amount of \$1,137.40, for Block 173 Lot 7 C0214, located at 214 Franklin Place, assessed to Kamakshi & Kanaka Ganapathy,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to refund \$1,137.40 to the above-mentioned owners.

RESOLUTION # 2007-353

WHEREAS, a Veteran deduction in the amount of \$250.00 has been allowed for the year 2007 for Block 176.06 Lot 21, located at 14 Chase Drive, assessed to Salvatore & Rosalie Assante,

WHEREAS, taxes for the year 2007 have an unpaid balance on the above-referenced block & lot,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to apply the amount of \$250.00 as noted above.

RESOLUTION # 2007-355

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE
AND APPROPRIATION (N.J.S.A. 40A:4-87)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

Section 1

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$15,800.00, which item is now available as a revenue from the 2008 Stop for the red light or stop for us Grant, and

Section 2

BE IT FURTHER RESOLVED that the sum of \$15,800.00 is hereby appropriated under the caption "Stop for the red light or stop for us Grant".

The following Res. # 2007-354 (Change Meeting Date from Nov. 8 to Nov. 7, 2007) was introduced by reference, offered by Council Vice President Rosenthal, seconded by Councilwoman Tragni and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-354

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Council meeting scheduled for November 8, 2007 be changed to November 7, 2007 at 8 PM.

BE IT FURTHER RESOLVED that the meeting will take place in the New Caucus Room, Marlboro Municipal Building, 1979 Township Drive, Marlboro, New Jersey 07746.

Councilman Pernice moved that Res. #2007-342 (Award of Bid - Steel Dump Bodies) be tabled to the Nov. 7th meeting. This was seconded by Councilwoman Tragni, and was passed on a roll call vote of 5 - 0 in favor of tabling.

At 9:05PM, Councilman Pernice moved that the meeting be adjourned. This was seconded by Councilwoman Morelli, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: November 7, 2007

OFFERED BY: Pernice

AYES: 5

SECONDED BY: Tragni

NAYS: 0

ALIDA MANCO,
MUNICIPAL CLERK

JEFF CANTOR,
COUNCIL PRESIDENT